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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hidemasa SAWADA et al.

Group Art Unit: 2854

Application No.: 10/773,207

Examiner: A. Evans

Filed: February 9, 2004

Docket No.: 118598

For: INK FOR FABRIC PRINTING, AND PRINTING METHOD

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the December 2, 2004 Restriction Requirement, Applicants provisionally elect Group I, claims 1-4, with traverse.

It is respectfully submitted that in accordance with MPEP §821.04, if product claims are elected and subsequently allowed, rejoinder of non-elected process claims which depend from or otherwise include all of the limitations of allowed product claims will be permitted.

Accordingly, Applicants submit that upon allowance of elected claims 1-4, non-elected Group II (claim 5) should be rejoined and similarly allowed as Group II is a method of printing with the ink recited in the Group I claims, and includes all of the limitations of claim 1 of Group I.

It is also respectfully submitted that the subject matter of all claims 1-5 is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without

serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,

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Date: December 30, 2004

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